



Amend the General Bylaw by adding a new Article 17

ARTICLE 17 - Noise

SECTION 1. PURPOSE

The provisions of this bylaw are intended to protect the health, safety and welfare of Stow's citizens and prevent the degradation of the quality of life due to EXCESSIVE NOISE and/or unwarranted manmade noise.

SECTION 2. DEFINITIONS

AMBIENT SOUND LEVEL - The all-encompassing noise level associated with a given environment, being a compost of sounds from all sources at the location, constituting the normal or existing level of environmental noise at a given location. .

A-WEIGHTING (dBA) - The sound pressure level in DECIBELS as measured on a sound level meter using the A-weighted network. The level so read is designated dB(A) or dBA.

DECIBEL (dBA) - The unit of measurement for sound pressure at a specified location. .

EXCESSIVE NOISE – A continuous or episodic emission of sound that is more than 10 DECIBELS above the natural AMBIENT SOUND LEVEL, measured at the property boundary nearest the offending noise.

SECTION 3. APPLICABILITY

- 3.1** The provisions of this bylaw are intended to regulate noise from a variety of manmade uses and activities, including but not limited to prolonged sounding and unattended alarm systems, construction and demolition equipment and activities, and suppressible and preventable sources of noise related to an industrial and/or commercial use or activity.
- 3.2 Prohibited Uses** - No person owning, leasing or controlling a source of sound shall willfully, negligently, or through failure to provide necessary equipment, service or maintenance, or to take necessary precautions cause, suffer, allow or permit unnecessary emissions from a source of sound that may cause EXCESSIVE NOISE.
- 3.3 Exemptions** – The provisions of this bylaw shall not apply to sounds emitted during or customarily associated with the following uses:
1. Parades, public gatherings, or sporting events which have been permitted by the Board of Selectmen or its designee, provided that said parades, public gatherings or sporting events in one town do not cause EXCESSIVE NOISE in another town;
 2. Highway or emergency police, fire, ambulance, civil or national defense vehicles and/or activities;

3. Domestic maintenance equipment, including but not limited to lawn mowers, tractors, leaf blowers and/or power saws between the hours of 7:00 A.M. and 9:00 P.M.;
4. Construction, maintenance and/or motorized or amplified devices and equipment engaged in entertainment or construction and maintenance activities between the hours of 7:00 A.M. and 9:00 P.M., or otherwise defined in a permit issued by a town board, committee or department; provided that such activity has been issued a permit or approved by a town board, committee or department; and
5. Normal agricultural activities as defined in M.G.L Ch. 128 Section 1A.

SECTION 4. GENERAL PROVISIONS

The AMBIENT SOUND LEVEL, measured at the property line, shall not be increased by more than 10 DECIBELS weighted for the "A" scale [dB(A)] due to the sound from the property.

SECTION 5. ENFORCEMENT

The provisions of this bylaw shall be enforced by the Board of Selectmen or its designee.

Penalty for Violation - The penalty for violation of this bylaw shall be a fine of one hundred dollars (\$100.00) for the first offense, two hundred dollars (\$200.00) for the second offense, three hundred dollars (\$300.00) for the third offense and three hundred dollars (\$300.00) for each succeeding offense. Each day that a violation continues shall constitute a separate offense.